

## Message Text

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ACTION EB-07

INFO OCT-01 AF-06 IO-10 ISO-00 SP-02 AID-05 NSC-05 RSC-01

CIEP-01 TRSE-00 SS-15 STR-01 OMB-01 CEA-01 CIAE-00

COME-00 FRB-03 INR-07 NSAE-00 XMB-02 OPIC-03 LAB-04

SIL-01 AGR-05 L-02 H-01 /084 W  
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R 221627Z JAN 75

FM AMEMBASSY ACCRA

TO SECSTATE WASHDC 6215

INFO USMISSION GENEVA

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EO 11652 NA

TAGS: ETRD GH

SUB: TRADE ACT OF 1974-GENERALIZED SYSTEM OF PREFERENCES (GSP)

--GHANA

REFS: (A) STATE 279785 12/21/74

(B) STATE 282967, 12/28/74

(C) STATE 282968 12/28/74

(D) STATE 001804

(E) STATE 011522

1. SUMMARY. GOG NOTIFIED OF GSP PROVISIONS AND GIVEN RELEVANT TEXTS. GOG CLEARLY INTERESTED IN BECOMING BENEFICIARY, BUT FORM OF RESPONSE STILL TO BE DETERMINED AND MAY BE DELAYED. END SUMMARY.

2. PURSUANT INSTRUCTIONS REFTELS EMBASSY E/C CHIEF EXPLAINED KEY PROVISIONS TITLE V OF 1974 TRADE ACT TO MFA DIRECTOR/ WESTERN ECONOMIES AND AFRICA (BROBBEY) AND ONE NOTETAKER EACH FROM MFA AND MINISTRY TRADE AND TOURISM. BROBBEY WAS GIVEN TEXTS OF PRESIDENT'S STATEMENT ON SIGNING ACT AND OF TITLE V, AND SUMMARY OF MAJOR PROVISION OF ACT  
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(REFTELS C THROUGH E). DISCUSSION WAS HELD JAN 21,

HAVING BEEN SEVERAL TIMES POSTPONED BY GHANAIANS.

3. BROBBEY GRATEFUL FOR INFORMATION, WHICH OBVIOUSLY NEW TO HIM. HE SAID IT WOULD TAKE QUITE SOME TIME TO GO THROUGH TEXTS AND "DO OUR HOMEWORK" BEFORE GIVING ANY RESPONSE, WHICH MIGHT BE BILATERALLY OR IN MULTILATERAL (GATT) FORUM. HOWEVER, HE CLEARLY IMPLIED GOG WOULD WANT BENEFICIARY STATUS. AS INITIAL REACTION HE EXPRESSED FOLLOWING CONCERNS AND QUESTIONS:

(A) EXISTING TEXTILE BILATERAL MIGHT BE ADVERSELY AFFECTED.

(B) OPEC-TYPE EXCLUSION MIGHT APPLY TO MEMBERS INTERNATIONAL COCOA AGREEMENT (ICA), WHICH OF COURSE INCLUDES GHANA.

(C) CURRENT NEGOTIATIONS BETWEEN LDC'S AND EC MIGHT LEAD TO REVERSE PREFERENCES AND THEREFORE EXCLUSION FROM US GSP.

(D) THE ACT REQUIRED JUDGMENTS ON BENEFICIARIES BY THE USG WHICH INVOLVED AN ELEMENT OF "SUBJECTIVITY."

(E) IN "APPLYING" FOR BENEFICIARY STATUS, WOULD AN LDC HAVE TO PROVIDE RELEVANT DATA, SUCH AS A LISTING OF ORGANIZATIONS TO WHICH IT BELONGED?

4. EMBOFF RESPONDED AS FOLLOWS;

(A) TEXTILE BILATERAL UNAFFECTED BY 1974 TRADE ACT.

(B) HIS PERSONAL JUDGMENT, QUALIFIED AS SUCH, WAS THAT ICA (AND, FOR THAT MATTER, INTERNATIONAL BAUXITE ASSOCIATION, OF WHICH GHANA ALSO A MEMBER) DIFFERENT ENOUGH FROM OPEC NOT RPT NOT TO CAUSE GOG UNDUE CONCERN ABOUT GSP BENEFICIARY ELIGIBILITY ON THAT ACCOUNT.

(C) GOG DOES NOT RPT NOT CURRENTLY GIVE REVERSE PREFERENCES; LDC NEGOTIATORS SURELY AWARE OF IMPLICATIONS GRANTING THEM WOULD HAVE. EMBOFF POINTED OUT SECTION 502(B) (3) REQUIRES ACTUAL OR LIKELY "SIGNIFICANT ADVERSE EFFECT ON U.S. COMMERCE" FOR GSP INELIGIBILITY.  
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(D) ACT DOES REQUIRE VARIOUS JUDGMENTS BY USG BUT EMBOFF PERSONAL VIEW IS THAT ADMINISTRATION WILL TRY TO BE AS INCLUSIVE REGARDING BENEFICIARIES AS ACT ALLOWS.

(E) NO FORMAT LAID DOWN AND PROBABLY NO INTENTION TO REQUIRE "APPLICATION" WITH ACCOMPANYING DATA; CERTAINLY NO NEED TO REPEAT WHAT IS ON PUBLIC RECORD. ON OTHER HAND,

IF POTENTIAL BENEFICIARY HAS INFORMATION WHICH MIGHT  
IMPROVE ITS CASE IT WOULD OF COURSE BE WISE TO PRESENT IF.

5. EMBOFF ASSURED BROBBEY USG WOULD BE PLEASED RECEIVE ANY  
COMMENTS AND TRY TO ANSWER SPECIFIC QUESTIONS REGARD TRADE  
ACT, EITHER THROUGH AMEMBASSY ACCRA OR GHANA EMBASSY WASHINGTON.

6. COMMENT: IN FACT, THERE ARE PROBABLY VERY FEW CASES IN  
WHICH GHANA COULD EXPECT TO TAKE ADVANTAGE OF GSP BENEFICIARY  
STATUS, AND TRADE EFFECT WOULD NOT RPT NOT BE IMPORTANT.  
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## Message Attributes

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